

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, NOVEMBER 19, 2002
COUNTY COMMISSIONERS CHAMBERS, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.

Commissioners Present: Bob Workman, Chair
Bernie Heier, Vice Chair
Kathy Campbell

Commissioners Absent: Larry Hudkins
Ray Stevens

Others Present: Kerry Eagan, Chief Administrative Officer
David Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Trish Owen, Chief Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Commissioners meeting was convened at 1:30 p.m.

- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, November 12, 2002. (A copy of these minutes is on file in the office of the Lancaster County Clerk or can be accessed at <http://www.ci.lincoln.ne.us>)

MOTION: Heier moved and Campbell seconded approval of the minutes of the Board of Commissioners meeting dated November 12, 2002. Campbell, Heier and Workman voted aye. Motion carried.

- 2) **SPECIAL PRESENTATIONS:**

A. Use of \$3,000 from the Inmate Benefit Fund for the Corrections Chaplaincy Program - Mike Thurber, Corrections Director; Rev. Dan Morgan, Good News Jail and Prison Ministries and Vince Ponce, Corrections Program/Medical Director.

Mike Thurber, Corrections Director, appeared and explained that the Inmate Benefit Fund is generated by inmate vending and telephone commissions to assist in supporting the Good News Jail and Prison Ministries.

2) **SPECIAL PRESENTATIONS CONTINUED:**

Dan Morgan, Good News Jail and Prison Ministries, appeared and stated in a one year period he organized approximately 1,000 group Bible studies. He added that there are approximately 80 volunteers involved in various aspects of the ministry.

MOTION: Heier moved and Campbell seconded approval of the use of \$3,000 from the Inmate Benefit Fund for the Corrections Chaplaincy Program. Heier, Campbell and Workman voted aye. Motion carried.

3) **PUBLIC COMMENT:**

Craig Groat, 4935 Huntington, Lincoln, Nebraska, appeared and expressed concern regarding the knowledge of the Noxious Weed Control Superintendent and weed height.

4) **CLAIMS FOR REVIEW:**

A. Payment Voucher 751-0276, dated November 1, 2002 payable to Baylor, Evnen, Curtiss, Gritmit & Witt, in the amount of \$1,084.84. This payment is for Darla Ideus serving on the Mental Health Board from October 5 through October 26, 2000.

David Johnson, Deputy County Attorney, appeared and recommended the claim be removed from the agenda.

MOTION: Campbell moved and Heier seconded removal of Payment Voucher 751-0276, dated November 1, 2002 payable to Baylor, Evnen, Curtiss, Gritmit & Witt, in the amount of \$1,084.84 from the agenda. Workman, Campbell and Heier voted aye. Motion carried.

B. Payment Voucher 805-0447, dated November 13, 2002 - Nebraska Health and Human Services has requested payment, totaling \$8,866, for acute intake/evaluation.

Kerry Eagan, Chief Administrative Officer, explained that the claim was for services from the Department of Health and Human Services to determine competency to stand trial. He stated the claim was not submitted to the District Court judge in accordance to State Statute and noted that some progress has been made in establishing a procedure so that claims of this type can be paid.

4) **CLAIMS FOR REVIEW CONTINUED:**

MOTION: Campbell moved and Heier seconded denial of Payment Voucher 805-0447, dated November 13, 2002 - Nebraska Health and Human Services has requested payment, totaling \$8,866, for acute intake/evaluation. Workman, Heier and Campbell voted aye. Motion carried.

5) **CLAIMS:** Approval of all claims processed through Tuesday, November 19, 2002.

MOTION: Heier moved and Campbell seconded approval of all claims processed through November 19, 2002. Workman, Campbell and Heier voted aye. Motion carried.

6) **NEW BUSINESS:**

A. A grant contract with Cedars Youth Services for management of the projects and grant funds, for Tracker Program support and for a Day Reporting Center. The County shall pay \$169,800 for the services. The term of the grant contract is July 1, 2002 to June 30, 2003. (C-02-0559)

MOTION: Heier moved and Workman seconded approval of a grant contract with Cedars Youth Services for management of the projects and grant funds, for Tracker Program support and for a Day Reporting Center. The County shall pay \$169,800 for the services. The term of the grant contract is July 1, 2002 to June 30, 2003. Heier and Workman voted aye. Campbell abstained. Motion carried.

B. Supplemental Agreement 2 with the State of Nebraska, Department of Roads for staking and inspection on Project BR-3300(2), Roca Northwest, Lancaster County Structure Number 0-66. The County entered into the original agreement on June 27, 2000 and Supplemental Agreement 1 on July 30, 2002. Supplemental Agreement 2 requires the County to provide for supervision and inspection of the construction, due to the lack of available State personnel. The County will be reimbursed based upon actual costs in accordance with Federal guidelines. The State will pay 85 percent of the actual eligible costs. (C-02-0560)

6) **NEW BUSINESS CONTINUED:**

MOTION: Heier moved and Campbell seconded approval of Supplemental Agreement 2 with the State of Nebraska, Department of Roads for staking and inspection on Project BR-3300(2), Roca Northwest, Lancaster County Structure Number 0-66. The County entered into the original agreement on June 27, 2000 and Supplemental Agreement 1 on July 30, 2002. Supplemental Agreement 2 requires the County to provide for supervision and inspection of the construction, due to the lack of available State personnel. The County will be reimbursed based upon actual costs in accordance with Federal guidelines. The State will pay 85 percent of the actual eligible costs. Campbell, Workman and Heier voted aye. Motion carried.

C. A Harvest Project contract with CenterPointe for professional services and staff for the delivery of services to older persons who are at risk due to complex mental health, substance abuse and aging related needs. The term of the agreement is July 1, 2002 to June 30, 2003. The County will pay CenterPointe \$40,672 for the services provided in the agreement. (C-02-0562)

MOTION: Campbell moved and Heier seconded approval of a Harvest Project contract with CenterPointe for professional services and staff for the delivery of services to older persons who are at risk due to complex mental health, substance abuse and aging related needs. The term of the agreement is July 1, 2002 to June 30, 2003. The County will pay CenterPointe \$40,672 for the services provided in the agreement. Heier, Workman and Campbell voted aye. Motion carried.

D. An agreement with the law firm of Orton, Thomas and O'Connell for legal representation to indigent parties in proceedings arising pursuant to Neb. Rev. Stat. §43-247 (1), (2), (3)(a), (4), (5), (6) and (8) in the separate Juvenile Court of Lancaster County. The term of the agreement is from January 1, 2003 to December 31, 2005. The County shall pay up to \$243,000 for the services. (C-02-0563)

6) **NEW BUSINESS CONTINUED:**

MOTION: Campbell moved and Heier seconded approval of an agreement with the law firm of Orton, Thomas and O'Connell for legal representation to indigent parties in proceedings arising pursuant to Neb. Rev. Stat. §43-247 (1), (2), (3)(a), (4), (5), (6) and (8) in the separate Juvenile Court of Lancaster County. The term of the agreement is from January 1, 2003 to December 31, 2005. The County shall pay up to \$243,000 for the services. Heier, Workman and Campbell voted aye. Motion carried.

E. Change order and supplemental agreement with Theisen Construction, Inc. for the installation of one deadman and tie back at each abutment of County Structure B-230, which is generally located in the area of North 84th Street and Ashland Road. The County will pay \$10,500 for the change. The original agreement was entered into by the County Board on November 12, 2002. (C-02-0561)

Johnson stated the original agreement was approved last week (November 12, 2002) and explained that other issues were brought to the attention of the County Engineering Department when the contractor arrived on site. Upon further inspection by the County Engineering Department, it was determined that additional services were necessary. As a result, the contractor and the County Engineering Department were able to come to an agreement of \$10,500 for the additional services.

Virgil Dearmont, County Bridge Engineer, appeared and submitted documentation consisting of photographs of the bridge as well as a diagram to add the "deadman" and tie back (Exhibit 1).

MOTION: Campbell moved and Heier seconded approval of a change order and supplemental agreement with Theisen Construction, Inc. for the installation of one deadman and tie back at each abutment of County Structure B-230, which is generally located in the area of North 84th Street and Ashland Road. The County will pay \$10,500 for the change. The original agreement was entered into by the County Board on November 12, 2002. Workman, Campbell and Heier voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

F. A resolution in the matter of witness fees paid by Lancaster County which have remained unclaimed for six months or more. (R-02-0134)

MOTION: Heier moved and Campbell seconded approval of Resolution 02-0134 in the matter of witness fees paid by Lancaster County which have remained unclaimed for six months or more. Workman, Heier and Campbell voted aye. Motion carried.

G. A resolution in the matter of the vacation of a portion of a County road located on Madison Street legally described as the west 18 feet of Madison Street adjacent to Lot 19 in the northwest quarter of Section 31, Township 10 North, Range 8 East of the 6th Prime Meridian, in Walton, Lancaster County, Nebraska. (R-02-0135)

Johnson referred to Subsection 3 of the resolution and explained that should the County Board approve the vacation they need to specify whether they want the property to revert back to the County in the event that the existing improvements no longer occupy the real estate vacated.

MOTION: Campbell moved and Heier seconded approval of Resolution 02-0135 in the matter of the vacation of a portion of a County road located on Madison Street with the inclusion of the word "with" in Subsection 3. Campbell, Heier and Workman voted aye. Motion carried.

H. Recommendation from the Purchasing Agent and the County Engineer to award a bid for rock hauling and production to various stockpiles within Lancaster County as follows: (B-02-0041)

Project 03-22H- Waverly Maintenance Station - 7,200 Tons

Westover Rock & Sand, Inc. (Hauler) at \$2.03/Ton	=	\$ 14,616
Kerford Limestone (Producer) at \$8.85/Ton	=	<u>\$ 63,720</u>
		\$ 78,336

Project 03-23H - Emerald Stockpile - 2,500 Tons

Buel Trucking, Inc. (Hauler) at \$3.50/Ton	=	\$ 8,750
Kerford Limestone (Producer) at \$8.85/Ton	=	<u>\$ 22,125</u>
		\$ 30,875

Project 03-24H - Raymond Stockpile - 5,500 Tons

Westover Rock & Sand, Inc. (Hauler) at \$3.38/Ton	=	\$ 18,590
Kerford Limestone (Producer) at \$8.85/Ton	=	<u>\$ 48,675</u>
		\$ 67,265

6) NEW BUSINESS CONTINUED:

Project 03-25H - Southwest 12th Street & Saltillo Road Stockpile - 3,600 Tons

Westover Rock & Sand, Inc. (Hauler) at \$2.98/Ton	=	\$ 10,728
Kerford Limestone (Producer) at \$8.85/Ton	=	<u>\$ 31,860</u>
		\$ 42,588

Project 03-26H - Southwest 98th Street & Saltillo Road Stockpile - 3,000 Tons

LeRoy Hiskey Trucking Co. (Hauler) at \$3.70/Ton	=	\$ 11,100
Kerford Limestone (Producer) at \$8.85/Ton	=	<u>\$ 26,550</u>
		\$ 37,650

Project 03-27H - Roca Stockpile - 15,700 Tons

Buel Trucking, Inc. (Hauler) at \$2.45/Ton	=	\$ 38,465
Kerford Limestone (Producer) at \$8.85/Ton	=	<u>\$138,945</u>
		\$177,410

Project 03-28H - Walton Maintenance Station - 4,500 Tons

Buel Trucking, Inc. (Hauler) at \$1.45/Ton	=	\$ 6,525
Kerford Limestone (Producer) at \$8.85/Ton	=	<u>\$ 39,825</u>
		\$ 46,350

Total Cost of Hauling and Production = \$480,474

MOTION: Heier moved and Campbell seconded approval to award a bid for rock hauling and production to various stockpiles within Lancaster County as follows: Buel Trucking, Inc., Kerford Limestone, Westover Rock and Sand, Inc. and LeRoy Hiskey Trucking Co. Campbell, Heier and Workman voted aye. Motion carried.

I. Acceptance of a bid from Mid-Kan Blueline, Inc., in the amount of \$6,810, for the purchase of one HP Design Jet 1050 C printer for the Sheriff's Office. (B-02-0042)

Johnson explained that State Statute allows the County Board to approve informal bids based on the cost of equipment or software, however, it is the policy of the County Board that recommendations for award of bids go through the Purchasing Department. He stated the bid was done internally through the Sheriff's Office and the equipment has been received and is installed.

6) **NEW BUSINESS CONTINUED:**

Bill Jarrett, Chief Deputy Sheriff, appeared and briefly explained the bid, noting that he had discussed the issue with Dave Kroeker, Budget and Fiscal Director, and Kerry Eagan, Chief Administrative Officer.

MOTION: Campbell moved and Heier seconded to accept the bid from Mid-Kan Blueline, Inc., in the amount of \$6,810, for the purchase of one HP Design Jet 1050 C printer for the Sheriff's Office. Campbell, Heier and Workman voted aye. Motion carried.

J. Award of bid to ATI Title Company for title searches on tax foreclosure property. A title certificate shall cost \$40 per property and a U.C.C. search shall be \$10. The estimate is for 37 title certificates. (B-02-0043)

MOTION: Campbell moved and Heier seconded to award a bid to ATI Title Company for title searches on tax foreclosure property. A title certificate shall cost \$40 per property and a U.C.C. search shall be \$10. The estimate is for 37 title certificates. Heier, Campbell and Workman voted aye. Motion carried.

7) **CONSENT ITEMS:** These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. Receive and Place on File:

1. Register of Deeds Monthly Report for October, 2002.
2. Sheriff's Report of Fees for October, 2002.
3. Financial Statements and Reports regarding the Lancaster County Fairgrounds Joint Public Agency as of November 30, 2001.

B. A request from Chris Blomenberg, an employee in the Clerk of the District Court's Office, to voluntarily participate in the Lancaster County Retirement Plan having met the requirements.

MOTION: Campbell moved and Heier seconded approval of the Consent Items. Workman, Heier and Campbell voted aye. Motion carried.

8) **ADJOURNMENT:**

MOTION: Heier moved and Campbell seconded adjournment of the Board of Commissioners meeting at 2:18 p.m. Workman, Campbell and Heier voted aye. Motion carried.

Bruce Medcalf
County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, NOVEMBER 19, 2002
COUNTY COMMISSIONERS CHAMBERS, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING**

Commissioners Present: Bob Workman, Chair
Bernie Heier, Vice Chair
Kathy Campbell

Commissioners Absent: Larry Hudkins
Ray Stevens

Others Present: Kerry Eagan, Chief Administrative Officer
David Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Rob Ogden, Chief Deputy County Assessor
Trish Owen, Chief Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Equalization meeting convened at 2:18 p.m.

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, November 12, 2002. (A copy of these minutes is on file in the office of the Lancaster County Clerk.)

MOTION: Campbell moved and Heier seconded approval of the minutes of the Board of Equalization meeting dated November 12, 2002. Campbell, Workman and Heier voted aye. Motion carried.

- 2) **PUBLIC COMMENT:**

There was no public comment and the meeting proceeded as planned.

- 3) **ADDITIONS AND DEDUCTIONS:**

Approval of 25 additions and deductions to the tax assessment rolls per Exhibit A.

MOTION: Campbell moved and Heier seconded approval of the additions and deductions to the tax assessment rolls. Workman, Heier and Campbell voted aye. Motion carried.

4) **MOTOR VEHICLE TAX EXEMPTIONS:**

Developmental Services of Nebraska, Inc.
St. Mary's Church of Denton
School Sisters of Christ the King
Trinity United Methodist Church

MOTION: Heier moved and Campbell seconded approval of the motor vehicle tax exemptions. Workman, Campbell and Heier voted aye. Motion carried.

5) **SETTING OF PUBLIC HEARINGS FOR NOTICES OF VALUATION CHANGE FOR OMITTED OR UNDERVALUED PROPERTY:**

Setting of public hearings for Tuesday, December 3, 2002 immediately following the regular Board of Commissioners meeting in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding notices of valuation change for omitted or undervalued property for Cherrie Drinkwalter and Koozer Storage Inc. (2 notices).

MOTION: Heier moved and Campbell seconded to set public hearings for Tuesday, December 3, 2002 immediately following the regular Board of Commissioners meeting in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding notices of valuation change for omitted or undervalued property for Cherrie Drinkwalter and Koozer Storage Inc. (2 notices). Workman, Heier and Campbell voted aye. Motion carried.

6) **ADJOURNMENT:**

MOTION: Heier moved and Campbell seconded adjournment of the Board of Equalization at 2:21 p.m. Workman, Campbell and Heier voted aye. Motion carried.

Bruce Medcalf
County Clerk